

Remarks/Arguments:

Claim rejections - 35 U.S.C. §§102 and 103

Claims 22, 24, 26 and 40 stand rejected under 35 U.S.C. 102(b) as anticipated by U.S. Pat. No. 3,703,217 (Kulick et al.). Claims 41-42 stand rejected under 35 U.S.C. §103(a) as unpatentable over Kulick et al. Claim 43 stands rejected under 35 U.S.C. §103(a) as unpatentable over Kulick et al. in view of U.S. Pat. No. 6,218,947 (Sutherland). Applicants respectfully traverse these rejections.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." M.P.E.P. §2131 *citing Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

"To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations." M.P.E.P. §2143.

Independent claim 22 recites a "[s]teering handle for motor vehicles comprising: a core; a secondary metal about the core; a dielectric material between said core and said secondary metal such that a capacitor is defined thereby; means for monitoring a capacitance of the capacitor and determining a contact between at least one hand of the driver and the steering handle based on the monitored capacitance; and a second secondary metal about the core and configured such that the secondary metal and the second secondary metal define a differential capacitor."

The Office Action acknowledges that Kulick et al. does not disclose a second secondary metal about the core and configured such that the secondary metal and the second secondary metal define a differential capacitor. Sutherland is cited as teaching a secondary metal (20) and a second secondary metal (22) to define a differential capacitor, however, applicants respectfully submit that Sutherland does not teach or suggest such. Sutherland teaches the

use of two separate plates, a front plate 20 and a rear plate 22, and explains that the plates "may be imbedded and sealed within the steering wheel rim 14 itself and insulated from the conventional steel core thereof which must also be grounded." Sutherland at col. 4, Ins. 20-23 (emphasis added). In Sutherland, the core is insulated and therefore, both of the plates (20, 22) together define only a single capacitor. Neither of the plates are a second secondary plate, and Sutherland does not disclose defining a differential capacitor. Sutherland fails to teach or suggest each limitation of the claimed invention. It is respectfully submitted that claim 22 is in condition for allowance.

Claims 24, 26 and 40-42 each depend from independent claim 22, and therefore, are allowable for at least the reasons set forth above.

It is respectfully submitted that each of the pending claims is in condition for allowance. Early reconsideration and allowance of each of the pending claims are respectfully requested.

If the Examiner believes an interview, either personal or telephonic, will advance the prosecution of this matter, the Examiner is invited to contact the undersigned to arrange the same.

Respectfully submitted,



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